

## REMARKS

Figure 3 was objected to because it was darkened to the point that the details of the invention appeared to be unclear. In response, please find a lightened drawing that is identical to the Figure 3 originally filed.

Claims 3 and 4 were objected to for informalities, and have been corrected per the Examiner's suggestion. Applicant regrets the typo and thanks the Examiner for catching the mistyping.

Claims 1, 19, and 20 were rejected under 35 U.S.C. 112 because claim 1 defines a seat having at least one connection member communicating with both the forward portions of the first and second members as well as the rearward portions of the first and second members. Also, claims 19 and 20 define first and second members disposed in different horizontal planes, yet the spec does not disclose the horizontal positioning of the first and second members. In response, claim 1 has been amended to read "two connection members." Claims 19 and 20 have been canceled.

Claim 10 was rejected under 35 U.S.C. 112 as being indefinite because the phrase "said seat rail is generally 'U' shaped, such that the bottom of the 'U' shape is under said first rearward portion and said second portion" was unclear. In response, claim 10 has been canceled.

Claims 1-4, 6-11, and 13-20 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 872,124 to Hammaren. In response, Applicant has amended all independent claims (claims 1 and 8) to reflect that the present invention has

a first forward portion and a second forward portion that can be disposed apart, but also together without any forward gap therebetween. This distinction is shown in the figures as originally filed with the application, as well as in the Detailed Description corresponding to Figure 1 and the Summary of the Invention, and is not present or suggested by the relevant art. Applicant respectfully asserts that the claims are now allowable as the amendments to claims 1 and 8 affect all dependent claims as well.

Claims 1-4, 6-11, and 13-20 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,209,954 B1 to Bombardier. Applicant respectfully asserts that the aforementioned amendments now distinguish the present invention for the aforementioned reasons, and thus, the claims are now allowable since the amendments to claims 1 and 8 affect all dependent claims as well.

Claims 5 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hammaren in view of U.S. Patent No. 6,290,291 B1 to Kojima. Applicant respectfully asserts that the aforementioned amendments now distinguish the present invention for the aforementioned reasons, since claims 5 and 12 ultimately depend from claims 1 and 8, respectively. Applicant believes the claims to now be allowable.

Please see the attached page of Marked up claims.

The Examiner is encouraged to call Attorney of Record, Michael L. Greenberg, at 301-588-8393 should there be any further questions or concerns regarding the present application.



# CERTIFICATION OF MAILING

I hereby certify that this amendment and response was sent via US first class  
postage prepaid mail to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450, on August 21, 2003.

A handwritten signature in black ink, appearing to read "Michael L. Greenberg".

Michael L. Greenberg, Esq.

Reg. No. 47312

Dated 8-21-2003

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MARKED UP CLAIMS

- a1
1. (AMENDED) A seat, comprising:
- a first member, having a first forward portion and a first reward portion;
- two [at least one] connection members [member], in communication with said first member;
- a second member, having a second forward portion and a second reward portion, in communication with said two [at least one] connection members [member];
- wherein said two [at least one] connection members [member] dispose [disposes] said first forward portion a desired distance from said second forward portion; [and]
- wherein said two [at least one] connection members [member] dispose [disposes] said first rearward portion a second desired distance from said second rearward portion; and
- wherein said first forward portion and said second forward portion can be disposed together without any forward gap therebetween.

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- a2
3. (AMENDED) The seat of claim 1, wherein said first member and said second member are contoured to receive a user's [user's] buttocks.
4. (AMENDED) The seat of claim 2, wherein said first member and said second member are contoured to receive a user's [user's] buttocks.

- a3
8. (AMENDED) A seat, comprising:
- a first member, having a first forward portion and a first reward portion;
- a seat rail disposed below said first member;
- a second member, having a second forward portion and a second reward

portion, in communication with said seat rail;

wherein said seat rail disposes said first forward portion a desired distance from said second forward portion; and

wherein said seat rail disposes said first rearward portion a second desired distance from said second rearward portion; and

wherein said first forward portion and said second forward portion can be disposed together without any forward gap therebetween.

Please cancel claim 10.

Please cancel claims 19 and 20.

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Figure 3

